

1 Brian Chancey
2 Plaintiff in *Propria Persona*
3 3117 Encino Avenue
4 Bay City, Texas 77414
phone: 832-863-4519
email: gnman4@yahoo.com

United States Courts
Southern District of Texas
FILED

APR 12 2022

5 Nathan Ochsner, Clerk of Court

6 **UNITED STATES DISTRICT COURT**
7 **SOUTHERN DISTRICT OF TEXAS**

8 United States Post Office and Courthouse; 601 Rosenberg, Room 411; Galveston, TX 77550

9 BRIAN CHANCEY

10 PLAINTIFF

11 v.

CASE NO. 3:22-cv-34

12 BASF CORPORATION

13 DEFENDANT

14 /
15 **MOTION TO APPOINT SPECIAL MASTER TO**
16 **RESOLVE COURT'S CONFLICT OF INTEREST**

17 Plaintiff moves the court to appoint a special master to assist in the above captioned
18 matter for the reason that an exceptional condition exists whereby the court seeks to
19 impose the same illegal policies as the defendant does in the above captioned case. This
20 district court is also receiving disaster relief compensation and subsidies for practicing these
21 illegal policies, and cannot therefore be expected to act impartially. The plaintiff requests
22 that the court appoint a special master that is not a magistrate and is not another acting
23 judge in any court. The court has the authority to appoint a special master under Rule 53 of
the Federal Rules of Civil Procedure.

24 The following is from the court's policies as stated on its website and signed by Judge
25 Rosenthal on February 24, 2022:

26 "Mask wearing and social distancing inside courtrooms and chambers
27 is at the discretion of each presiding judicial officer. This order is
28 subject to the district-wide policy for the Southern District of Texas

1 requiring all courthouse employees who work with venire panels and
2 jurors to be both vaccinated and masked.”¹

3 The home page for the Southern district courts states in bold red lettering:

4 **Coronavirus Disease 2019 (COVID-19) –**

5 “The judges in each of the seven divisions in the Southern District are
6 deciding when to conduct jury trials in that division, based on local
7 conditions. Safety is our top priority.”²

8 This policy continues to be expressed by the court’s General Orders pertaining to the
9 so-called “Coronavirus” with the most recent one being General Order 2021-15 and also
10 SPECIAL ORDER G-2021-2 signed by Judge Brown; which boldly “requires” all court
11 officers who work with juries to get experimental injections and wear masks.

12 The court’s policies are nearly identical to the defendant’s.

13 These policies discriminate based upon the wild speculation that everyone has a
14 disability (contagious disease) and must submit to mitigation measures or be treated for it
15 without his informed consent and without any evidence or diagnosis that anyone has such a
16 contagious disease, without any evidence that any contagious disease even exists and
17 without any evidence of a so-called “pandemic”.

18 As you will discover in the plaintiff’s complaint, even with such evidence, these
19 medical interventions cannot be imposed upon anyone without judicial approval based upon
20 actual evidence such as a medical diagnosis (individualized assessment under the criteria
21 set forth in the Americans with Disabilities Act). No laws have changed; claiming there is a
22 pandemic is not a defense to violating federal and state disability laws, public health policy,
23 due process and one’s medical privacy rights. Both the defendant and the court share the
24 same, nearly identical, policies and both the defendant and the court are receiving “disaster
25 relief funds” from the same or similar sources for imposing these illegal policies.

26 Furthermore, federal court judges in general have been intruding upon, and
27 interfering with, plaintiffs around the country who are making similar complaints and thereby
28 causing unjust delays in the proceedings.

1 <https://www.txs.uscourts.gov/page/covid-19-special-orders-houston-galveston-division>

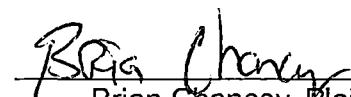
2 <https://www.txs.uscourts.gov/node>

1 Some judges act as if the complaints are incomprehensible, some judges file *sua
2 sponte* motions to dismiss on behalf of defendants before they are ever served with a
3 summons, and then write orders dismissing these types of cases to frustrate and delay
4 plaintiffs' equal access to the court and justice. Some judges wrongfully deny applications
5 for fee waivers or refuse to make rulings on them for months at a time so that plaintiffs are
6 delayed justice and denied equal access to the courts.

7 This conduct by federal court judges is prohibited by the rules of equity, justice and
8 the actual rules of civil procedure, including but not limited to constituting interference and
9 retaliation in violation of Section 504 of the Rehabilitation Act of 1973 as it is imposed by the
10 standards of the Americans with Disabilities Act. The United States District Court is subject
11 to fines and penalties for these violations, including but not limited to the loss of federal
12 funding. No federal judge is immune from liability for these violations.

13 WHEREFORE plaintiff requests the appointment of a special master who can
14 oversee this proceeding and who is not influenced by the court's illegal "Covid-19" policies.

15 DATED this 11 day of April 2022.

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17 Brian Chancey, Plaintiff
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19 **CERTIFICATE OF SERVICE**

20 I, Brian Chancey, hereby certify that a true and correct copy of the foregoing was duly
21 served upon the defendant's attorney Ryan Swink at the address of One Allen Center, 500
22 Dallas Street, Suite 3000; Houston, Texas 77002 via first class mail on this 11 day of April,
23 2022.

24 By: BC